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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,653	03/19/2004	Gregory Eugene Borchers	SLA1495	7770
50735 7590 03/19/2007 MADSON & AUSTIN 15 WEST SOUTH TEMPLE SUITE 900 SALT LAKE CITY, UT 84101			EXAMINER KINDRED, ALFORD W	
			ART UNIT 2163	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/804,653

Applicant(s)

BORCHERS, GREGORY EUGENE

Examiner

Alford W. Kindred

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2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 01/03/07.

This action is made final.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over French et al., US# 20030041238, in view of Takahashi, US# 20050105129.

As per claim 1, French et al. teaches "an MFP database comprising data regarding the MFP discovered; discovering printer drivers; building a driver database comprising data identifying at least one MFP each driver is applicable to" (see paragraph [0064], [0077]) "building a relationship database comprising an associated MFP/driver record for each allowable combination" (see paragraph [0107] and [0125]). French does not explicitly teach "wherein the relationship database . . . a first printer driver record . . . record are associated as allowable combination." Takahashi teaches "wherein the relationship database . . . a first printer driver record . . . record are associated as allowable combination" (see paragraph [0219] and [0408]). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of French and Takahashi, because using the steps of "wherein

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the relationship database . . . a first printer driver record . . . record are associated as allowable combination”, would have given those skilled in the art the tools to associate related printer drivers with associated databases data. This gives users the advantage of associating printer drivers with related devices more efficiently.

As per claim 2, French et al. teaches “wherein discovering MFPs comprises using SNMP to locate and identify an MFP” (see paragraph [0092]-[0093]).

As per claim 3, French et al. “wherein building an MFP database comprises parsing standard printer MIB data” (see paragraph [0068] and [0077]).

As per claim 4, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- French et al. “wherein discovering drivers comprises locating a printer driver file comprising metadata within a printer driver repository” (see paragraph [0085] and [0159]).

As per claim 5, French et al. teaches “wherein the metadata is XML metadata” (see paragraph [0085]).

As per claim 6, French et al. “wherein the metadata identifies each MFP capable of being associated with each printer driver” (see paragraph [0085] and [0107]).

As per claim 7, French et al. teaches “wherein building the printer driver database comprises parsing the metadata” (see paragraph [0107] and [0159]).

As per claim 8, French et al. teaches “wherein building a relationship database comprises creating a relational database with a many-to-many relationship linking a primary key of the MFP database with a primary key of the printer driver database for

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each allowable combination of MFP/printer driver relationships based upon MFP model and printer driver model compatibility" (see paragraph [0245] and [0256]).

As per claims 9-10, French et al. teaches "comprising constraining the drivers prior to discovering the printer drivers . . ." (see paragraph [0257]).

As per claim 11, French et al. teaches "constraining the associated MFP/printer driver combinations prior to building the relationship database" (see paragraph [0159] and [0256]).

As per claims 12-15, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-4 and 8 and are similarly rejected.

As per claims 16-17, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-4 and 8 and are similarly rejected including the following:

--French et al. Teaches "a fourth software routine for building a printer driver database . . ." (see paragraph [0256] and [0076]).

Response to Arguments

4. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alford W. Kindred
Patent Examiner
Tech Ctr. 2100